

2001 SENATE BILL 118

March 28, 2001 - Introduced by Senator HUELSMAN, cosponsored by Representatives ALBERS and OWENS. Referred to Committee on Education.

1 **AN ACT to amend** 120.02 (1), 120.02 (2) (a) and 120.02 (4) of the statutes;
2 **relating to:** the procedures for changing the number of school board members,
3 for establishing a plan of apportionment of school board members, and for
4 providing election to numbered seats on a school board.

Analysis by the Legislative Reference Bureau

Current law provides a procedure for changing the number of school board members in a common or unified school district. A petition must be filed with the school district clerk, who must incorporate in the notice of the annual meeting (in a common school district) or election (in a unified school district) a statement that at the meeting or election the question of changing the number of school board members will be voted upon. The petition must be signed by at least 100 electors who reside in the school district, except that in a school district that contains, in whole or in part, a second or third class city, the petition must be signed by at least 500 school district electors. There are similar procedures for establishing a plan of apportionment of school board members and for assigning a number to each seat on a school board.

This bill provides that, if a school district contains, in whole or in part, a second or third class city, a petition for any of these changes must be signed by at least 500 electors only if one or more electors of the school district reside in that city.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 118**SECTION 1**

1 **SECTION 1.** 120.02 (1) of the statutes is amended to read:

2 **120.02 (1) CHANGE IN NUMBER OF SCHOOL BOARD MEMBERS.** If, at least 30 days
3 prior to the day of the annual school district meeting, in a common or union high
4 school district, or at least 45 days prior to the day of the election of school board
5 members in a unified school district, a petition conforming to the requirements of s.
6 8.40 requesting a change in the number of school board members is filed with the
7 school district clerk the clerk shall incorporate in the notice of the annual meeting
8 or election a statement that at the meeting or election the question of changing the
9 number of school board members to the number requested in the petition will be
10 voted upon. The petition shall be signed by not less than 100 electors residing in the
11 school district, except that in school districts which contain, in whole or in part, a city
12 of the 2nd or 3rd class in which one or more electors of the school district reside, the
13 petition shall be signed by not less than 500 electors residing in the school district.
14 If, at the meeting or election of school board members, a resolution based on a petition
15 requesting a change in the number of school board members is adopted by a majority
16 vote, school board members shall be elected at the next school board election and
17 thereafter in accordance with sub. (3).

18 **SECTION 2.** 120.02 (2) (a) of the statutes is amended to read:

19 **120.02 (2) (a)** If, at least 30 days prior to the day of the annual meeting, in a
20 common or union high school district, or at least 45 days prior to the day of the
21 election of school board members in a unified school district, a petition conforming
22 to the requirements of s. 8.40 requesting the establishment of a plan of
23 apportionment of school board members is filed with the school district clerk the
24 clerk shall incorporate notice of receipt of such petition in the notice of the annual
25 meeting or election. The petition shall specify the proposed plan of apportionment

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1 of school board members among the cities, towns and villages or parts thereof within
2 the school district and set the total number of school board members at not more than
3 11. The petition shall be signed by not less than 100 electors residing in the school
4 district, except that in school districts which contain, in whole or in part, a city of the
5 2nd or 3rd class in which one or more electors of the school district reside, the petition
6 shall be signed by not less than 500 electors residing in the school district. If a
7 majority vote of the annual meeting or election approves the plan set forth in the
8 petition, the plan shall remain in operation until revised by the same procedure.
9 School board members elected under this subsection shall be elected by a vote of the
10 electors of the entire school district in accordance with the plan prepared under sub.
11 (3).

12 **SECTION 3.** 120.02 (4) of the statutes is amended to read:

13 120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of
14 the annual meeting, in a common or union high school district, or at least 45 days
15 prior to the day of the election of school board members in a unified school district,
16 a petition conforming to the requirements of s. 8.40 which sets forth a plan for the
17 assignment of a number to each seat on the school board is filed with the school
18 district clerk, the school district clerk shall incorporate notice of receipt of such
19 petition in the notice of the annual meeting or election required under s. 120.06 (8)
20 (c). The petition shall be signed by not less than 100 electors residing in the school
21 district, except that in school districts which contain, in whole or in part, a city of the
22 2nd or 3rd class in which one or more electors of the school district reside, the petition
23 shall be signed by not less than 500 electors residing in the school district. If a
24 majority vote of the annual meeting or election approves the plan set forth in the
25 petition, the plan shall remain in operation until revised by the same procedure.

